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Application denied to the extent that Plaintiff seeks to adjourn the April 4, 2024 pre-trial conference. The parties' request for adjournment of the April 30, 2024 trial will be discussed at the April 4 conference.

The Clerk of Court is respectfully directed to terminate the motion sequence pending at Doc. 121.

SO ORDERED.

Philip M. Halpern
United States District Judge

Dated: White Plains, New York
April 2, 2024

BY ECF

The Honorable Philip M. Halpern
United States District Judge
300 Quarropas Street
White Plains, New York 10601

Re: *Michael Giles v. City of Mount Vernon, et al.*, 20 CV 05119 (PMH)

Dear Judge Halpern:

I represent the plaintiff in the above referenced civil rights action. I write jointly with counsel for the City defendants to request an adjournment of the trial currently scheduled to commence on April 30, 2024. The County defendants consent to this request.

Plaintiff makes this request because the undersigned has out-of-state travel plans for the week of April 22, 2024, which are linked to Passover and my son's participation in the US Chess National Elementary Championship in Columbus, Ohio which is being held from April 26, 2024 to April 28, 2024, as a result of which I will not be returning to New York until relatively late on Monday, April 29, 2024.

Counsel for the City defendants make this request because they are scheduled to begin a trial in the Southern District of New York, on May 6, 2024, before Judge Karas. (*Seward v. City of Mount Vernon, et al.*, 20-cv-09251 (KMK)). Individual Defendant Mount Vernon Detective Camilo Antonini is also a defendant in the *Seward* matter and consecutive trials would significantly hinder both his and counsel's preparation for each trial.

Given these commitments that would substantially impact plaintiff's and the City defendants' ability to adequately prepare for trial, we respectfully request that the Court adjourn the trial to a date in mid-June, or such other date that is convenient to the Court.

Further, if the Court grants the request to adjourn the trial, the parties respectfully renew their request to adjourn the pre-trial conference currently scheduled for April 4, 2024, to a date after the April 24, 2024 settlement conference and/or to a date closer in time to the adjourned trial date.

Finally, if the Court is not inclined to grant the trial adjournment, plaintiff nonetheless requests that the April 4, 2024 pre-trial conference be adjourned to next week because co-trial counsel for plaintiff, Brett Klein, has a scheduling conflict for April 4, 2024, as he will be attending

a settlement conference involving an incarcerated client.¹ Thus, an adjournment of the April 4, 2024 conference would allow Mr. Klein to be present at the pre-trial conference.

Defendants consent to plaintiff's request to adjourn the pre-trial conference due to Mr. Klein's conflict.

This is the first request to adjourn the trial and the second request to adjourn the pre-trial conference.

Thank you for your consideration.

Respectfully,

A handwritten signature in black ink, appearing to read 'Lissa Green-Stark', with a stylized loop and a horizontal line extending to the right.

Lissa Green-Stark

cc: All Counsel (by ECF)

¹ For scheduling purposes, all counsel are available for a pre-trial conference on April 8, 2024, April 10, 2024 before 2:00 p.m., and if neither of those dates work, on April 9, 2024. The County defendants further note that counsel for the County is unavailable for trial the first week of June.